

DETAILED ACTION

Notice to Applicant

1. This communication is in response to Amendment and Remarks filed 12/21/09. Claims 42-61 are pending for examination. Claims 42 and 56 have been amended.

Allowable Subject Matter

2. Claims 42-61 (now renumbered claims 1-20) are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:
(A) Claims 42-61 (now renumbered claims 1-20) are directed towards a computer-implemented performance system and method operable in an enterprise comprising individuals organized into a hierarchy.

The closest prior art of record includes Powers (6,615,182) and Wolfston (5,815,155).

However, the closest prior art of record does not teach creating for an employee an individual performance measurement according to the operation at the user-selectable level of the hierarchy.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHELLE LE whose telephone number is (571) 272-8207. The examiner can normally be reached on 8 AM - 5PM, M-F.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gerald O'Connor can be reached on (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/M. L./
Examiner, Art Unit 3686
3/20/10

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686